

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

Telecommunications Relay Services and Speech-
to-Speech Services for Individuals with Hearing
and Speech Disabilities

CC Docket No. 98-67

**SBC COMMUNICATIONS INC.'S
PETITION FOR RECONSIDERATION
OR, IN THE ALTERNATIVE, PETITION FOR CLARIFICATION**

SBC COMMUNICATIONS INC.

Alfred G. Richter, Jr.
Roger K. Toppins
Gary Phillips
William A. Brown

SBC Telecommunications, Inc.
1401 I Street, N.W., 11th Floor
Washington, DC 20005
(202) 326-8904 – Telephone
(202) 408-8745 – Facsimile

July 21, 2000

Its Attorneys

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SBC Communications Inc. (SBC) files its Petition for Reconsideration or, in the alternative, its Petition for Clarification, showing as follows:

In its first order in this docket, the Commission set new performance standards for TRS Centers.¹ Among these newly heightened standards were requirements that all Communications Assistants (CAs) “must provide a typing speed of a minimum of 60 words per minute” and that TRS providers “must give oral-to-type tests of CA speed.”² SBC seeks reconsideration of these two requirements or, in the alternative, clarification of them.

PETITION FOR RECONSIDERATION

Most providers agree that, for some TRS customers, a CA who can type 60 wpm would be an asset.³ Nevertheless, the Commission’s 60-wpm requirement is impractical and will have unintended consequences adversely impacting the customers it is aimed at benefiting. The emphasis on speed, without taking into consideration employment realities, will in the end make

¹ *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CC Docket No. 98-67, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 00-56 (rel. March 6, 2000)(TRS Order).

² TRS Order, Appendix B: Final Rules, § 64.604(a)(1). *See*, TRS Order, ¶¶ 63 – 64.

³ Many TRS customers have complained that CAs type too fast. Typing speed is not a virtue to every TRS customer.

it more difficult to serve the TRS customer. It is for this reason that SBC urges the Commission to reconsider its 60-wpm requirement and either rescind it completely or reduce it to 45 wpm.

The Commission's requirements ignore employment realities. Even in a normal labor market,⁴ persons with the skills required by the Commission's TRS regulations prefer working in other environments. Equipped with these skills, they can easily find employment as stenographers or administrative assistants. Ambitious laborers view these positions as having more of a future — stenographers become administrative assistants who become first level managers *etc.* Moreover, the general working conditions for stenographers and administrative assistants are deemed more pleasant. They are not as tied down to a desk, telephone, and monitor and they have more face-to-face interaction with the public and with persons who can further their careers.

At present, TRS providers have a hard enough time finding qualified candidates with the requisite skills who can type 45 wpm.⁵ Most providers find that, with time, these candidates will improve their typing speed. Some may never type 60 wpm, however. Even CAs who type between 45 and 55 wpm are excellent employees and provide their customers with superior service. Remedial typing classes and other options may never improve their typing speed. Are TRS providers supposed to fire otherwise excellent CAs simply because they are not typing at the 60-wpm level? By setting this standard, the Commission has subjugated all other employee qualifications and virtues to the expediency of speed.

SBC recognizes that the newly amended Commission Rule 64.404 permits providers to “employ technology such as speech recognition or auto-correct software to otherwise transmit words at a speed equivalent to 60 wpm.” The Commission's faith in this software is misguided. The state-of-the-art speech-recognition software is incapable of accurately and faithfully translating

⁴ The present labor market is not normal. The unemployment rate is at an all-time low. It is essentially an employees' market. These good conditions for labor make it even more difficult for TRS providers to find qualified CAs. Instituting new barriers, like the typing speed qualification, will make it practically impossible.

⁵ SBC's own experience is that, regardless of other qualifications or the lack thereof, only 20% of the candidates for CA positions would meet its present minimum typing standards. Raising the bar to 60 wpm will reduce the candidate population significantly.

speech to written word with dispatch. The lag time for such software to translate the spoken word into written text will mean more delay, not faster service. Such software will not assist TRS centers to meet the 60-wpm standard. At present, “technological aids” do not meet the needs of TRS centers and their customers.

The benefits to persons seeking a faster typing speed would be marginal, while the adverse impact on hiring and retaining qualified CAs will be significant. Moving from a 45-wpm standard to a 60-wpm standard produces a mere one word every four seconds increase. The average rate of speaking is 220 wpm or 3.66 words a second. If the aim of the standard is to more closely approximate speaking speeds, then the gain in speed is marginal at best. The burden on hiring and retaining employees, however, is great. The costs-to-benefits ratio does not support this new standard.

SBC understands how some TRS customers viewing the service from their perspective might demand faster typists.⁶ But this demand presumes that there are no barriers to or adverse consequences from making faster typing speed a requirement. In the best of all worlds, typing speed would emulate the speed of speech; however, we do not live in the best of all worlds and wishing can’t make it so. The result of the Commission’s regulations may very well mean that there are fewer qualified candidates for the CA position. The CAs who do qualify may be fast but they may have fewer other virtues. And these CAs may have lower job satisfaction due to the increased stress of trying to meet this standard. This stress will be communicated to customers in one manner or another.

If all this were not enough, good and otherwise qualified CAs may leave, either voluntarily or involuntarily. Filling the positions they leave behind will not be easy for TRS providers. Shortages in CAs will mean that it will be increasingly difficult for providers to meet the other performance standards adopted in the TRS Order. *It is difficult enough to hang on to*

⁶ The experience of the managers of SBC’s TRS centers is contrary to the Commission’s expectations. Customers are not requesting that the CAs type faster. Rather, they ask for a slower rate. If the standard is 60 wpm, how will the needs of customers requesting slower speeds be met?

qualified CAs as it is. These new performance standards will make that task even harder.

While the new standard was adopted with the best of intentions, the result will not be better service to TRS customers. Given the marginal benefits — if any — that might be enjoyed by some TRS users compared with the hiring and retaining burdens placed on TRS providers, which will adversely impact all TRS users, the 60-wpm standard should be eliminated or, at least, reduced to 45 wpm.

PETITION FOR CLARIFICATION

1. Typing Speed

SBC seeks clarification of what it means to “provide a typing speed of 60 *words* per minute.” The style of typing communication provided by CAs is different from normal stenographic typing. The niceties of grammar, syntax, and spelling are often abandoned in favor of speed. The style adopted by most CAs is similar to the instant messaging (IM) employed on the Internet. It is a style of shortcuts and abbreviations. Often these shortcuts and abbreviations are not “words” found in standard dictionaries. Nevertheless, the CAs accurately communicate the parties’ meaning and facilitate the required communication.

In light of this non-stenographic style of writing, what does the Commission intend by requiring that CAs provide a minimum typing speed of 60 wpm? How is compliance with this standard to be measured? Does each symbol, shortcut, or abbreviation constitute a “word” within the meaning of this regulation? Will a failure to employ standard spelling, syntax, and grammar adversely impact a CA’s compliance? Is the Commission requiring CAs to abandon the IM style of written communication that presently facilitates communications between the calling and called parties?

At a minimum — and especially in light of SBC’s position that the 60-wpm typing speed standard is impractical — SBC would hope that, if the Commission does not reconsider this standard, the Commission intends to evaluate typing speed with a view to supporting the IM style of communicating. If CAs were held to normal stenographic standards, the TRS service would be adversely impacted; that is, the service would be even slower. SBC urges the

Commission to clarify that it did not intend for CAs to provide a minimum typing speed of 60 wpm in the normal stenographic sense. Rather, SBC urges the Commission to recognize the IM style of communicating as appropriate for the TRS service.

2. Testing


In the TRS Order, the Commission directed that TRS center providers “must give oral-to-type tests of CA speed.” While it is clear that providers must use an oral-to-type test, it is not clear whether providers must test for normal stenographic skills. If, as SBC urges, the Commission agrees that the IM style of communicating is appropriate for the TRS service, then there should be no reason to test for irrelevant stenographic skills. Obviously, CAs will need to know how to spell and should know basic grammar. Nevertheless, the test for speed should not be based on normal stenographic performance when the CAs will be employing an IM style of communicating. The test should measure how the CAs actually perform on the job, which requires this IM style of writing, and not how the CAs might perform as secretaries. SBC seeks clarification from the Commission that this contention is correct.

CONCLUSION

SBC urges the Commission to reconsider the typing speed standard adopted in the TRS Order. SBC would prefer no typing standard set at the national level. If a standard must be adopted, SBC would urge that the typing speed not exceed 45 wpm. Additionally, SBC asks for clarification of the Commissions requirement to provide typing at 60 wpm and to test for that speed.

Respectfully submitted,

SBC COMMUNICATIONS INC.

By: 
Alfred G. Richter, Jr.
Roger K. Toppins
Gary Phillips
William A. Brown

SBC Telecommunications, Inc.
1401 I Street, N.W.
Suite 1100
Washington, DC 20005
Telephone: (202) 326-8904
Facsimile: (202) 408-8745

Its Attorneys

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CERTIFICATE OF SERVICE

I, Peggy Owen, do hereby certify that a copy of **SBC's Petition for Reconsideration or, In the Alternative, Petition for Clarification** has been served on the parties attached via postage-prepaid on this 21st day of July 2000.

By: Peggy Owen
Peggy Owen

JOYCE H ROBBINS
736 OJAI AVENUE
SUN CITY CENTER FL 33573

WAYNE T. SCOTT
FRANK WILMARTH
BOHDAN R PANKIW
COUNSEL FOR PENNSYLVANIA
PUBLIC UTILITY COMMISSION
P O BOX 3265
HARRISBURG PA 17105-3265

KAREN PELTZ STRAUSS
COUNSEL FOR TELECOMMUNICATIONS POLICY
NATIONAL ASSOCIATION OF THE DEAF
814 THAYER AVENUE
SILVER SPRING, MD 20910-4500

UNITED CEREBRAL PALSY ASSOCIATIONS INC
1660 L STREET NW
SUITE 700
WASHINGTON DC 20036-5602

DONNA SORKIN
EXECUTIVE DIRECTOR
SELF HELP FOR HARD OF HEARING PEOPLE INC
7910 WOODMONT AVENUE SUITE 1200
BETHESDA MD 20814

THOMAS R PARKER
GTE SERVICE CORPORATION
600 HIDDEN RIDGE, HQE03J27
P O BOX 152092
IRVING TX 75015-2092

SANDRA J BERNSTEIN
STAFF ATTORNEY
UNIVERSITY LEGAL SERVICES
PROTECTION AND ADVOCACY AGENCY FOR THE
DISTRICT OF COLUMBIA
300 I STREET NE SUITE 200
WASHINGTON DC 20002

PETER H JACOBY
MARK C ROSENBLUM
AT&T CORP
295 NORTH MAPLE AVENUE
ROOM 1134L2
BASKING RIDGE NJ 07920

ANDRE J LACHANCE
GTE SERVICE CORPORATION
1850 M STREET NW SUITE 1200
WASHINGTON DC 20036

LEON M KESTENBAUM
JAY C KEITHLEY
MICHAEL B FINGERHUT
SPRINT CORPORATION
401 9TH STREET NW
SUITE 400
WASHINGTON DC 20004

PAMELA Y HOLMES
DIRECTOR
CONSUMER & REGULATORY AFFAIRS
UNTRATEC INC
450 SCIENCE DRIVE
MADISON WI 53711

STEPHEN A GREGORY
INTERSTATE RELAY ADVISORY COUNCIL
515 LAKEVIEW AVENUE
PITMAN NJ 08071-1874

BOB DUNBAR
ADMINISTRATOR
IDAHO TELECOMMUNICATIONS
RELAY SERVICE
P O BOX 775
DONNELLY ID 83615

CHERYL HEPPNER
EXECUTIVE DIRECTOR
NORTHERN VIRGINIA RESOURCE CENTER FOR
DEAF AND HARD OF HEARING PERSONS
10363 DEMOCRACY LANE
FAIRFAX VA 22030

MARYLYN HOWE
DIRECTOR
MASSACHUSETTS ASSISTIVE
TECHNOLOGY PARTNERSHIP
1295 BOYLSTON STREET SUITE 310
BOSTON MA 02215

JUDY HARKINS
REHABILITATION ENGINEERING RESEARCH
CENTER ON TELECOMMUNICATIONS ACCESS
GALLAUDER UNIVERSITY
800 FLORIDA AVENUE NE
WASHINGTON DC 20002

ROBERT R HODGES
PRESIDENT
KANSAS RELAY SERVICE INC
700 SW JACKSON STREET SUITE 704
TOPEKA KS 66603-3758

LAWRENCE FENSTER
WORLD COM INC
1801 PENNSYLVANIA AVE NW
WASHINGTON DC 20006

LAWRENCE W KATZ
ATTORNEY FOR BELL ATLANTIC
TELEPHONE COMPANIES
1320 NORTH COURT HOUSE ROAD
8TH FLOOR
ARLINGTON, VIRGINIA 22201

CLAUDE L STOUT
EXECUTIVE DIRECTOR
TELECOMMUNICATIONS FOR THE DEAF INC
8630 FENTON STREET
SUITE 604
SILVER SPRING, MD 20910

MARYLYN HOWE
DIRECTOR
MASSACHUSETTS ASSISTIVE TECHNOLOGY
PARTNERSHIP
1295 BOYLSTON STREET
SUITE 310
BOSTON MA 02215

BOBBIE BETH SCOGGINS
PRESIDENT
USA DEAF SPORTS FEDERATION
3607 WASHINGTON BLVD
SUITE #4
OGDEN UT 84403-1737

ALFRED SONNENSTRAHL
SONNY ACCESS CONSULTING
10910 BREWER HOUSE ROAD
NORTH BETHESDA MD 20852-3463

ANDREA D WILLIAMS
MICHAEL F ALTSCHUL
RANDALL S COLEMAN
CELLULAR TELECOMMUNICATIONS INDUSTRY
ASSOCIATION
1250 CONNECTICUT AVENUE NW SUITE 200
WASHINGTON DC 20036

GILBERT BECKER
MARYLAND DEPARTMENT OF BUDGET
AND MANAGEMENT
301 W PRESTON STREET
SUITE 1008 A
BALTIMORE MD 21201-2305

RICHARD A MUSCAT
DIRECTOR OF REGULATORY/LEGAL AFFAIRS
ADVISORY COMMISSION ON STATE EMERGENCY
COMMUNICATIONS
333 GUADALUPE SUITE 2-212
AUSTIN TX 78701-3942

ASSOCIATION OF TECH ACT PROJECTS
1 WEST OLD STATE CAPITOL PLAZA
SUITE 100
SPRINGFIELD, ILLINOIS 62701

PAT WOOD III
JUDY WALSH
PUBLIC UTILITY COMMISSION OF TEXAS
1701 N CONGRESS AVENUE
P O BOX 13326
AUSTIN TX 78711-3326

MICHAEL G MCCARTHY, CSRE (N9EAO)
SIX METER FM CLUB OF CRYSTAL LAKE,
AND ASSOCIATED INTERESTED PARTIES
P O 445
MOUNT PROSPECT IL 60056

EVELYN CHEROW
AMERICAN SPEECH-LANGUAGE
-HEARING ASSOCIATION
10801 ROCKVILLE PIKE
ROCKVILLE MD 20852

AUGUSTA GOLDSTEIN
5431 CALIFORNIA #1
SAN FRANCISCO CA 94118

VERDA MCGRAW
PRENTKE ROMICH CO
REGIONAL CONSULTANT
P O BOX 512
FRAZYESBURG OH 43822-0512

TRICH SHIPLEY
MINNESOTA RELAY SERVICE
FIRST NATIONAL BANK BUILDING
332 MINNESOTA STREET
SUITE EAST 820
ST. PAUL MN 55101

PETER ARTH JR
WILLIAM N FOLEY
HELEN M MICKIEWICZ
505 VAN NESS AVE
SAN FRANCISCO CA 94102

LINDA K NELSON
DIVISION OF SERVICES FOR THE DEAF AND THE
HARD OF HEARING
319 CHAPANOKE ROAD
SUITE 108
RALEIGH NC 27603

PHILLIS TREECE-SINCLAIR
9169 FALCON CREEK CIRCLE
ELK GROVE CA 95624

ELIZABETH A FINCHEM
3106 CORAL AVE, APT D
COSTA MESA CA 92626

JOHN A RICKER
INTERSTATE TRS ADVISORY COUNCIL
C/O NECA TRS ADMINISTRATION
100 SOUTH JEFFERSON ROAD
WIPPANY NJ 07981

BOB SEGALMAN
3330 TROPICANA COURT
SACRAMENTO CA 95826

SARAH BLACKSTONE PHD
1 SURF WAY #237
MONTEREY CA 93940

KEITH MULLER
LEAGUE FOR THE HARD OF HEARING
71 W 23RD STREET
18TH FLOOR
NEW YORK NY 10010-4162

LEO A LAPOINTE
49 HIGHLAND TER
WORTHINGTON OH 43085

SARAH YOUNG
7002 PERSHING ROAD
BERWYN IL 60402

ROBERT M GURSS
WILKES, ARTIS, HEDRICK, & LANE, CHTD.
COUNSEL FOR APCO
1666 K STREET N W #1100
WASHINGTON DC 20006

JAMES R HOBSON
DONELAN, CLEARY, WOOD & MASER, P C
COUNSEL FOR NENA
1100 NEW YORK AVE N W #750
WASHINGTON DC 20005

JOHN B EULENBERG PHD
ARTIFICAL LANGUAGE LABORATORY
405 COMPUTER CENTER
MICHIGAN STATE UNIVERSITY
EAST LANSING MI 48824

DAVID J NELSON
909 F STREET N E
WASHINGTON DC 20002

MITCHELL D TRAVERS
7728 ORA COURT
GREENBELT MD 20770

BARBARA KANNAPELL PHD
PRESIDENT, DCADC
4527 S DAKOTA AVE N E
WASHINGTON DC 20017

JACKIE E PRAY PHD, ACSW
3070 PRESIDENTIAL DRIVE
SUITE 226
ATLANTA GA 30340

CHERYL A HEPPNER
10363 DEMOCRACY LANE
FAIRFAX VA 22030

FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BLVD
TALLAHASSEE FL 32399-0850

ALFRED SONNENSTRAHL
10910 BREWER HOUSE RD
ROCKVILLE MD 20852

ELIZABETH MCJIMSEY
ATTORNEY
SPRINT CORPORATION
4900 MAIN STREET
KANSAS CITY MO 64112

AT&T CONSUMER CARE
ATTENTION: TERESA FEENEY
100 N JEFFERSONS STREET
SUITE 115
NEW CASTLE PA 16101

PETE ARTH, JR
LIONEL B WILSON
JONADY HOM SUN
CALIFORNIA PUBLIC UTILITIES
COMMISSION AND PEOPLE OF THE
STATE OF CALIFORNIA
505 VAN NESS AVENUE
SAN FRANCISCO CA 94102

JOHN L JACO
EXECUTIVE DIRECTOR, SHHH
7910 WOODMONT AVENUE
SUITE 1200
BETHESDA MD 20814

NANCY J BLOCH
EXECUTIVE DIRECTOR
NATIONAL ASSOCIATION OF THE DEAF
814 THAYER AVENUE
SILVERSPRING MD 20910-4500

ANDREW D LIPMAN
MICHAEL J MENDELSON
D ANTHONY MASTANDO
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
ATTORNEY FOR TELECOMMUNICATIONS FOR
THE DEAF, INC.
3000 K STREET, NW, SUITE 300
WASHINGTON DC 20007

THE UNITED STATES TELECOM ASSOCIATION
LAWRENCE E SARJEANT
LINDA L KENT
KEITH TOWNSEND
JOHN W HUNTER
JULIE E RONES
1401 H STREET NW
SUITE 600
WASHINGTON DC 20005

RICHARD WOLF
ATTORNEY FOR ILLUMINET INC.
4501 INTELCO LOOP
P O BOX 2909
OLYMPIA WA 98507

BELL ATLANTIC
CAROLE D. BICKERDYKE
901 TATNALL STREET
2ND FLOOR
WILMINGTON, DELAWARE 19801

FRED NISEN, ESQ.
1324 ADDISON STREET, #7
BERKELEY, CA 94702

JOYCE H ROBBINS
736 OJAI AVENUE
SUN CITY CENTER, FL 33573